In theHigh Court for the States of Punjab and Haryana, at Chandigarh.

FAO No. 2993 of 2007 (O&M)
Decided on August 28,2007.

United India Insurance Company Limited Appellant

vs.

Mahender and others Respondents.

AND

FAO No.2994 of 2007 (O&M)
Decided on August 28,2007.

United India Insurance Company Limited Appellant

v.

Jai Singh and others Respondents.

Present: Mr.Raghujeet Singh Madan,Advocate,for the appellant

Rajesh Bindal J:(Oral)

This order will dispose of F.A.O. Nos. 2993 and 2994 of 2007, arising out of a common order dated April 30,2007, passed by Motor Accident Claims Tribunal, Jind, in a claim petition filed by the respondents.

The appellant is aggrieved against a direction given by the Tribunal only to the extent that inspite of the fact that the Insurance Company had not been found liable to pay the compensation, still direction has been issued to the appellant to pay the compensation and get

the same back from owner and driver of the vehicle by filing execution proceedings in terms of the law laid down by the Hon'ble Supreme Court in the cases of New India Assurance Co. Ltd Vs. Asha Rani 2003 ACJ 1 (SC) and National Insurance Company Ltd Vs. Baljit Kaur 2004 ACJ 428 (SC).

Learned counsel for the appellant could not dispute the proposition of law as laid down by the Hon'ble Supreme Court in the judgments cited above.

In view of the settled proposition of law, I do not find that the direction given by the Tribunal deserves to be interfered with. Accordingly, both the appeals are hereby dismissed in limine.

Aug 28,2007 **(Rajesh Bindal)**
RR **Judge**